

## CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "Express Mail Post Office to Addressee" service of the United States Postal Service (Express Mail Label No. EL 989 436 213 US) on March 11, 2004 in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Kim A. Cabello

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING NATIONAL PATENT APPLICATION**

Under 35 USC 111(a) and Rule 53(b)PATENT APPLICATION

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**WITH SIGNED DECLARATION**

**NONPROVISIONAL  
NON REISSUE  
NON PCT NAT PHASE**

Sir:

Herewith is the PATENT APPLICATION of

Inventor(s): James W. Thompson and William C. Wood

Title METHOD OF AND SYSTEM FOR RAPIDLY LOCATING ALL  
PASSIVE UNDERGROUND ELECTRONIC MARKER TYPES

Atty. Dkt.:	083277	308344
	C-M	Client Ref

including:

Date: March 11, 2004

1. Specification: 15 pages (only spec. and claims)      2.  Specification in non-English language
3. Declaration     Original     Facsimile/Copy     Abstract    1 page(s);    12 numbered claims
4.  Drawings:    5 sheet(s)     informal;     formal of size:     A4     11"
5.  See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete corresponding item 6 or 7). (Prior M# \_\_\_\_\_ SN \_\_\_\_\_)
6. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No. /	filed _____
No. /	filed _____
No. PCT /	filed _____, which

designated the US.

7.  See the attached Preliminary Amendment, which amends the specification to claim benefit of the above listed US application(s)

8.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

9.  Assignee Tempo Research Corporation

Address 1390 Aspen Way, Vista, California 92081

10. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

11. \_\_\_\_\_ (country)

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		<input type="checkbox"/> See 3 <sup>rd</sup> page for additional priorities	

12. (No.) Certified copy (copies):  attached;  previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_ / filed on \_\_\_\_\_
13. Small entity status →  is not claimed;  is claimed (Pre-filing confirmation required)
- 13(a).  Attached: \_\_\_\_\_ (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)
- 13(b)  See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)
14. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/454,504	March 12, 2003	(2)	
(3)		(4)	

15.  This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16.  Attached: New Application Cover Sheet; and Return Postcard

17.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity	Fee Code
18. Basic Filing Fee				\$770/\$385	\$770 1001/2001
19. Total Effective Claims	12	minus 20 =	*0	x \$18/\$9 =	+ 0 1202/2202
20. Independent Claims	2	minus 3 =	*0	x \$86/\$43 =	+ 0 1201/2201
*If answer is zero or less, enter "0"					
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				+ \$290/\$145	+ 0 1203/2203
22.				<b>TOTAL FILING FEE =</b>	<b>\$770</b>
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				+ \$130	+ 0 1053
24. If "assignment" box 8 is X'd, add recording fee				+ \$40	+ 40 8021
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.				+ \$130	+ 0 1808
26.				<b>TOTAL FEE =</b>	<b>\$810</b>
Our Deposit Account No. 50-2212				<b>PLEASE CHARGE OUR DEP. ACCT.</b>	
Our Order No.	083277	308344			
C#	M#				

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP  
Intellectual Property Group**

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NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments